

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
March 16, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation -- Pat Cameron, Executive Director, Peace and Social Justice Center of South Central Kansas
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Distinguished Service Citations.
- Proclamations.

UNFINISHED BUSINESS

1. CU- 498 - Conditional Use Request to Allow Vehicle Sales on Property Located North of Harry and East of George Washington Boulevard. (Formerly District III, now District I)

The City Council referred this item to the MAPC on January 12, 1999, for reconsideration.

MAPC Recommendation: December 17, 1998; Deny the request.
February 11, 1999; Approve, subject to conditions.

CPO Recommendation: Deny the request.

Staff Recommendation: Deny the request.

RECOMMENDED ACTION: Concur with MAPC and approve the Conditional Use request, subject to conditions and findings; OR deny the Conditional Use request.

NEW BUSINESS

2. Petition to Pave Barbara, from Seneca to Osage. (District IV)

A Petition has been received to pave Barbara Street. The Petition represents 63.6% of resident owners in the improvement district.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; and authorize Staff to select a design engineer.

3. Petition to Pave Walnut, North of Barbara. (District IV)

A Petition has been received to pave Walnut Street. The Petition represents 62.5% of resident owners in the improvement district.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; and authorize Staff to select a design engineer.

4. Petition to Pave Rita and Kessler, from West Street to Jewell. (District IV)

A Petition has been received to pave Rita and Kessler Streets. The Petition represents 55% of the improvement district.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; and authorize Staff to select a design engineer.

5. Petition to Pave 19th Street North, from Wabash to Ohio. (District VI)

A Petition has been received to pave 19th Street North. The Petition represents 89.5% of the improvement district.

RECOMMENDED ACTION: Approve Petition; adopt Resolution; and authorize Staff to select a design engineer.

6. Improvements to Seneca Street, from 31st Street South to Pawnee. (District IV)

The Capital Improvement Program includes a project to reconstruct Seneca between 31st Street South and Pawnee.

RECOMMENDED ACTION: Approve project and first reading of the Ordinance.

7. Sight Distance Obstruction Appeal - Zimmerly and Longford. (District II)

A sight distance obstruction has been identified at the corner of Zimmerly and Longford. Staff recommends the sight obstruction be removed; the Traffic Commission recommends a stop sign be installed.

RECOMMENDED ACTION: Direct the sight obstruction be removed; or order the installation of a stop sign.

8. Issuance of Industrial Revenue Bonds - Envision, Inc. (District III)

Envision Inc. is requesting Industrial Revenue Bonds in the amount of \$4.383 million.

RECOMMENDED ACTION: Approve first reading of the Bond Ordinance, and authorize the Mayor to sign
City Council Meeting – March 16, 1999

necessary documents.

9. Issuance of Health Care Facility Revenue Bonds - Wesley Retirement Communities, Inc. (District II)

Wesley Retirement Communities, Inc. is requesting issuance of Health Care Facility Revenue Bonds in an amount not to exceed \$19.5 million.

RECOMMENDED ACTION: Approve first reading of the Bond Ordinance, and authorize the Mayor to sign necessary documents.

10. Public Hearing and Request for Letter of Intent for Industrial Revenue Bonds - Lee Aerospace, Inc. (District II)

Lee Aerospace, Inc. is requesting a Letter of Intent to issue Industrial Revenue Bonds in an amount not to exceed \$3.5 million.

RECOMMENDED ACTION: Close the public hearing; approve the Letter of Intent for Industrial Revenue Bonds not to exceed \$3.5 million subject to conditions; authorize the Mayor to sign; and grant 100% property tax abatement on bond-financed improvements.

(11:00 a.m.)

11. Repair or Removal of Dangerous and Unsafe Structure. (District III)

A hearing will be held on the property located at 3680 E. Sunnybrook.

RECOMMENDED ACTION: Close the public hearing and adopt the Resolution.

(11:00 a.m.)

12. Public Hearing on Proposed Assessments:

- (a) A public hearing has been scheduled to consider proposed assessments for 22 water and 18 sewer projects.

RECOMMENDED ACTION: Close the public hearing; approve the proposed assessments; and approve first reading of the Ordinance.

- (b) A public hearing has been scheduled to consider the supplemental proposed assessment for one paving project.

RECOMMENDED ACTION: Close the public hearing; approve the supplemental proposed assessments; and approve first reading of the Ordinance.

13. Transfer Station Requirements:

- (a) Consideration of Transfer Station Conditional Uses.

RECOMMENDED ACTION: Approve the amendment to City Council Policy 9.

- (b) Ordinance on Licensing and Contracting for Solid Waste Transfer Stations.

RECOMMENDED ACTION: Approve first reading of the Ordinance.

14. 1999-2000 Housing and Urban Development (HUD) Combined Allocations.

On November 3, 1998, the City Council designated funding for priority programs and services. A public hearing was held by the Grants Review Committee to review applications and Requests for Proposals.

RECOMMENDED ACTION: Approve funding allocations for the City's 1999-2000 HUD Consolidated Plan/Combined Application, based on recommended funding amounts; authorize the preparation of the One Year Action Plan; and authorize the Mayor to sign necessary documents.

15. Contract for Economic Development Services.

A Contract has been developed with the Wichita Area Chamber of Commerce to carry out certain designated economic development programs on behalf of the City. A performance Contract has been developed to include: local expansion/retention activities; new business jobs recruitment; downtown investment; and new business development.

RECOMMENDED ACTION: Approve the Contract, and authorize the Mayor to sign.

16. Amendments to False Alarm Ordinance.

Amendments are proposed to the existing Ordinance to help reduce police calls in response to false alarms and improve administrative procedures.

RECOMMENDED ACTION: Approve the amendments to the False Alarm Ordinance.

CITY COUNCIL AGENDA

17. Board/Commission Appointments (for terms expiring June 30, 1999):

Commission on the Status of People with Disabilities (Lambke)
Convention & Tourism Committee (Ferris)
Human Services Board (2 appointments - Council at large)
Police & Fire Retirement Board of Trustees (Rogers)
Sister Cities Advisory Board (Cole)
Wichita Commission on the Status of Women (7 appointments - 2 Lambke, Knight, Ferris, Gale, Kamen)
Wichita-Sedgwick County Correctional Housing Board (Knight - Municipal Court Probation)

RECOMMENDED ACTION: Make the appointments.

18. Nominations to Sedgwick County Solid Waste Management Committee. (2 Vacancies)

RECOMMENDED ACTION: Make the nominations.

19. Hyde Elementary School Safety. (Requested by Council Member Kamen.)

At the request of Council Member Kamen, Staff developed two options to improve the existing traffic situation at

Hyde Elementary School.

RECOMMENDED ACTION: Approve recommended option.

20. Proclamations.

- Take Our Daughters to Work Day
- The Week of the Young Child
- Letter Carriers Food Drive Day
- Project H.O.P.E.+E Day

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

21. Reports of the Board of Bids and Contracts Dated March 8, 1999, and March 15, 1999.

RECOMMENDED ACTION: Receive and file the reports; approve the Contracts; and authorize the Mayor to sign.

22. Applications for Licenses for Adult Entertainment Establishments/Services:

<u>Renewal</u>	<u>1999</u>
Valerie Washington	Xcitement Video 1306 East Harry
Valerie Washington	Xcitement Video 1515 South Oliver

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

23. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Charlene K. Schneider		Ty's Diner Inc.* 928 West Second Street
		<u>(Consumption off Premises)</u>
Rick Brazile		Sam's Club #8254 6200 West Kellogg
<u>New Establishment</u>	<u>1999</u>	<u>(Consumption on Premises)</u>
Justin L. Bird		El Salvador Restaurant* 627 East 47th Street South
Judith A. Whitney		Duffy's Lounge 2415 West 31st Street South
Mark A. Boswell		Midway Oil #10 3805 West 21st Street

Special Event

Pat Audlex	May 7-8, 1999 Riverside Park (Wichita River Festival) Artichoke Sandwich Bar Pepsi Stage/Tennis Courts
Pat Audlex	May 11-12, 1999 Riverside Park (Wichita River Festival) Artichoke Sandwich Bar Pepsi Stage/Tennis Courts
Pat Audlex	May 14-15-16, 1999 Riverside Park (Wichita River Festival) Artichoke Sandwich Bar Pepsi Stage/Tennis Courts
John E. Thieh	May 7-8-9, 1999 Century II Drive (Wichita River Festival) Jet Bar-B-Q 1100 East Third Street
John E. Thieh	May 10-11-12, 1999 Century II Drive (Wichita River Festival) Jet Bar-B-Q 1100 East Third Street
John E. Thieh	May 13-14-15, 1999 Century II Drive (Wichita River Festival) Jet Bar-B-Q 1100 East Third Street
John E. Thieh	May 16, 1999 Century II Drive (Wichita River Festival) Jet Bar-B-Q 1100 East Third Street

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

24. Plans and Specifications:

- a. 21st Street Left Turn lane, Phase II Sterling Farms Addition - on 21st Street North, west of Tyler. (472-81892/762591/490362) Traffic to be maintained through construction. City Council approval date: 2/14/89. (District V)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., March 19, 1999.

- b. 1999 Contract Maintenance Micro-Surface Seal of Asphalt Streets at various locations. (132274/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II, IV, and VI)
- c. 26th Street North, from the east line of Vassar to the west line of Wellesley Post and Christy's College Crest Addition - north of 25th Street North, east of Hillside. (472-82997/765255/490627) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District I)
- d. Smith, from the north line of 12th Street north to the south line of 13th Street North R. A. Morris Tracts Addition - south of 13th Street, east of Hoover. (472-82944/765248/490626) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District V)
- e. Waco, from 32nd Street North to 33rd Street North Gibbons Gardens Addition - north of 29th street, east of

Arkansas. (472-82899/764753/490577) Traffic to be maintained through construction. City Council approval date: 1/6/98. (District VI)

- f. 1999 Enhanced Maintenance Concrete Repairs, Phase C at various locations. (706648-C/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II and III)
- g. 1998-1999 CDBG Neighborhood Revitalization Area (NRA) Street Improvements at various locations. (600973/806034) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date 7/1/98. (Districts I, IV, and VI)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids and Contracts by 10:00 a.m., March 26, 1999.

25. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

26. Preliminary Estimates:

- a. 1999 Enhanced Maintenance Rubberized Crack Sealing of Asphalt Streets. (706648 (D)/405218) Traffic to be maintained through construction. City Council approval date: 10/13/98. (Districts III and V) - \$150,000.00
- b. 1999 Enhanced Maintenance Concrete Crack Sealing Phase 1. (706648 (E)/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date 10/13/98. District V - \$270,750.00
- c. Water Distribution System, Phase IV to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89179/734906/470576) Does not affect existing traffic. City Council approval date 7/22/97. - \$102,900.00
- d. Water Distribution System, Phase V to serve Belle Terre South Addition - south of Kellogg, west of 159th Street East. (448-89180/734907/470577) Does not affect existing traffic. City Council approval date: 7/22/97 - \$132,150.00
- e. Water Distribution System, Phase V to serve Rocky Creek Addition - north of 13th, east of 137th Street East. (448-89098/734899/470569) Does not affect existing traffic. City Council approval date: 12/17/96. (District II) - \$89,000.00
- f. Water Distribution System to serve Lark Sixth Addition - south of Kellogg, east of 119th Street West. (448-89229/734901/470571) Does not affect existing traffic. City Council approval date: 12/9/97. (District V) - \$95,000.00
- g. Water Distribution System to serve Auburn Hills Eighth Addition - south of Maple, east of 135th Street West. (448-89360/734908/470578) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$137,000.00
- h. Water Distribution System to serve Auburn Hills Ninth Addition - south of Maple, east of 135th Street West. (448-89361/734909/470579) Does not affect existing traffic. City Council approval date: 1/26/99. (District V) - \$76,000.00
- i. Storm Water Sewer No. 477 to serve West Kellogg Power Center Addition - north of Kellogg, west of Hoover. (468-82629/751263/485161) Does not affect existing traffic. City Council approval date: 9/24/96. (District V) - \$79,200.00
- j. 21st Street Decel Lane and Fire Hydrants Golf Park West Addition - south of 21st Street, west of Ridge. (472-

83061/765552/490663) Traffic to be maintained through construction. City Council approval date: 2/9/99.
(District V) - \$84,890.00

RECOMMENDED ACTION: Approve and file.

27. Petition to Pave Georgia and Gilda in Wheatland Addition - South of MacArthur, West of Hoover. (District V)

RECOMMENDED ACTION: Approve the Petition and adopt the Resolution.

28. Minutes of Advisory Boards/Commissions:

Commission on the Status of Women, 2-3-99
CPO Northeast Council 1, 2-22-99
CPO East Council 2, 2-22-99
CPO Southeast Council 3, 2-25-99
CPO Southwest Council 4, 2-25-99
CPO Northeast Council 5, 2-26-99
CPO North Central Council 6, 2-25-99
Commission on the Status of Women, 2-3-99
Metropolitan Area Planning Commission (MAPC), 1-14-99
Wichita Airport Authority, 1-19-99
Wichita Airport Authority, 1-27-99
Police & Fire Retirement System, 1-27-99
Wichita Employees' Retirement System, 1-20-99
Wichita Public Library, 2-16-99
Wichita-Sedgwick County Board of Health, 2-11-99
Wichita-Sedgwick County Alcohol and Drug
Abuse Advisory Board (ADAAB), 2-11-99
Wichita-Sedgwick County Emergency Communications
Advisory Board, 2-18-99

RECOMMENDED ACTION: Receive and file.

29. Advisory Boards/Commissions Annual Reports:

Board of Appeals of Air Conditioning, Refrigeration, Warm Air Heating and Boilers
Board of Appeals of Plumbers and Gas Filters
Board of Code Standards and Appeals
Board of Electrical Appeals
Board of Zoning Appeals
Citizen Participation Organization (CPO)
Civil Rights and Services Board (CRS)
Commission on the Status of Women (CSW)
Historic Preservation Board
Human Services Board
Metropolitan Area Planning Commission (MAPC)
Traffic Commission
Wichita Art Museum
Wichita Public Library
Wichita-Sedgwick County Alcohol and Drug Abuse Advisory Board (ADAAB)
Wichita-Sedgwick County Board of Health

RECOMMENDED ACTION: Receive and file.

30. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

31. Agreements/Contracts:

- a. Installation of automated railroad horn system. (District I)
- b. Design services for Auburn Hills Eighth Addition - south of Maple, east of 135th Street West. (District V)
- c. Design services for Smithmoor Eighth Addition - south of Harry, east of Webb. (District II)
- d. Construction of Eastern Bridge over Gypsum Creek at Orme. (District II)
- e. Construction of Meridian and Broadway. (Districts I, IV, and VI)
- f. Weed and seed cost reimbursement.
- g. CDBG-Big Brothers and Sisters of Sedgwick County.
- h. Water Utility rate analysis.

RECOMMENDED ACTION: Approve the Agreements/Contracts and authorize the Mayor to sign.

32. Contract Amendment-Design Services for East Bank Water Walk, Phase II. (District I)

RECOMMENDED ACTION: Approve the Contract and authorize the Mayor to sign; and adopt the Resolution.

33. Wichita/Valley Center Flood Project Control Mowing.

RECOMMENDED ACTION: Award the Contract to the Flood Control Unit, Department Of Public Works.

34. Change Order: Douglas Avenue Bridge over the Arkansas River. (Districts I and VI)

RECOMMENDED ACTION: Approve the change order and authorize the Mayor to sign.

35. Declaration for Participation in Firefighters Relief Fund for 1999.

RECOMMENDED ACTION: Approve the Declaration and authorize the Mayor to sign.

36. Correcting Resolution: Water Distribution System to Serve an Area North of 46th Street North, East of the Little Arkansas River. (District VI)

RECOMMENDED ACTION: Adopt the Resolution.

37. General Obligation Airport Temporary Note Sale - Series A, 1999 (Tax Exempt) and Series B, 1999 (Subject to AMT)

RECOMMENDED ACTION: Adopt the Resolution.

38. Airport Capital Project - Runway Liquid Material Spreader Vehicle.

RECOMMENDED ACTION: Adopt the Resolution.

39. Property Acquisitions:

- a. 4625 West Central (Tract #1) for the Central Avenue Improvement Project from West Street to I-235. (District IV)
- b. Portion of 642 North Bebe (Tract #11) for the Central Avenue Improvement Project from West Street to I-235. (District IV)
- c. Easement-War Industries Relief Sewer Project. (District III)

RECOMMENDED ACTION: Approve the budgets and Contracts and authorize the Mayor to sign the necessary documents.

40. Second Reading Ordinances. (First read March 2, 1999)

- a. Paving assessment ordinances (twenty-one).
- b. IRB - Flight Safety.
- c. DR 98-9 Subdivision Regulations
- d. Declaring Broadway (472-82412)
- e. A 99-12 Annexation.

41. First Reading Ordinances:

- a. Special assessment to pay for the cost of cutting weeds.
- b. Revised Ordinance: 1998/1999 Intersection Program. (Districts I, III, IV, and V)

RECOMMENDED ACTION: Approve first reading of the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

*42. V-2152 - Request to Vacate a Portion of a Building Setback Located in an Area North of 21st Street North and West of Maize Road. (District V)

MAPC Recommendation: Approve vacation of a portion of a building setback.

Staff Recommendation: Approve vacation of a portion of a building setback.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission; approve the vacation order; and authorize the Mayor to sign.

43. Public Hearing V-2156 - Request to Vacate Building Setback on JM Office Park Addition Located in an Area South of 21st Street North and West of Carmen. (District I)

MAPC Recommendation: Approve vacation of a portion of a building setback.

Staff Recommendation: Approve vacation of a portion of a building setback.

RECOMMENDED ACTION: Close the public hearing; approve the vacation order; and authorize the Mayor to sign.

44. Public Hearing V-2157 - Request to Vacate a Portion of a Utility Easement Located in an Area South of 37th Street North and East of Cameron, 3520 North Cameron. (District I)

MAPC Recommendation: Approve vacation of a portion of a utility easement.

Staff Recommendation: Approve vacation of a portion of a utility easement.

RECOMMENDED ACTION: Close the public hearing; accept the dedication of the utility easement; approve the vacation order; and authorize the Mayor to sign.

*45. S/D 98-27 - Plat of Friends University 2nd Addition Located East of Meridian, North of Kellogg Drive. (District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat, and authorize the Mayor to sign.

*46. S/D 98-70 - Plat of Lawrence Development 1st Addition Located on the Southwest Corner of 21st Street and Ridge Road. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the document and Plat; adopt the Resolution; and authorize the Mayor to sign.

*47. S/D 98-72 - Plat of Plaza Central Office Park Addition Located on the South Side of Central, West of 127th Street East. (District II)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; adopt the Resolutions; and approve first reading of the Ordinance.

- *48. S/D 98-84 - Plat of Chapel Hill Addition Located on the North Side of 13th Street North, on the West Side of K-96. (District II)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; adopt the Resolutions; and approve first reading of the Ordinance.

- *49. S/D 98-88 - Plat of Anderson Properties Addition Located on the North Side of 13th Street, East Side of Sheridan. (District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the document and Plat; authorize the Mayor to sign; and approve first reading of the Ordinance.

- *50. S/D 98-114 - Plat of Mullen-Butler Addition Located on the South Side of Central, West of Hoover. (District V)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; adopt the Resolutions; and approve first reading of the Ordinance

- *51. S/D 99-4 - Plat of Seaburn Addition Located on the Northeast Corner of Meridian and 37th Street North. (District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat, and authorize the Mayor to sign.

52. DP-240 - Request for the Creation of Fountain Square Community Unit Plan, Generally Located North of K-96 and West of Webb Road. (District II)

MAPC Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the C.U.P., subject City Council Meeting – March 16, 1999

2. to the recommended conditions and Platting within one year, or
Return the application to the MAPC for reconsideration.

53. Z-3309 - Zone Change Request from MF-18 Multi-Family and “GO” General Office to “GO” General Office and “LC” Limited Commercial, Located North of 21st Street North and West of Maize Road. (District V)

MAPC Recommendation: Approve, subject to conditions of a protective overlay #49.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a protective overlay district, place the Ordinance establishing the zone change on first reading, or
2. Return the application to the MAPC for reconsideration.

54. A 99-1 - The City of Wichita Seeks the Annexation of Five (5) Street Right of Way Segments in Various Locations. (Districts II, IV, V, and VI)

RECOMMENDED ACTION: Approve first reading of the annexation Ordinance.

55. A 99-16 - Requests the Annexation of Property Generally Located at the Southeast Corner of 13th Street North and Greenwich. (District II)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

Adjournment

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